LOUISVILLE METRO COUNCIL COMMITTEE MINUTES

Planning/Zoning, Land Design & Development Meeting Tuesday, October 13, 2009 2:07 P.M. Third Floor, City Hall

Present: Chair: CM Owen

Vice Chair: CM Stuckel

Members: CM Ward-Pugh, CM Hamilton, CM Heiner, CM Flood, and

CM Jon Ackerson (Arrived at 2:15 p.m.)

Also Present: CM Peden and CM Henderson

Chairman Owen began the meeting by introducing the members and non-members of the committee that were present. A quorum was established.

Pending Legislation

O-177-10-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-M COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 8012 NATIONAL TURNPIKE, CONTAINING A TOTAL OF 1.15 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12085).

Status: In-Committee

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

Motion to approve made by Glen Stuckel and seconded by Tina Ward-Pugh.

Discussion: Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on September 17, 2009. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Welch's District. A power point presentation was given. The following were items of discussion and concern:

- Contract Shop/Warehouse
- Portion of existing building to be removed
- Proposed 2 story addition to the front
- Access
- Parking
- Screening and buffering
- Landscaping
- No idling of trucks by residential area
- No Auto sales allowed
- Drainage and storm water retention
- Mainly indoor storage
- Can have outdoor sales and storage with restrictions but is not indicated on this plan
- This area is not in the Flood Plain

Per Chairman Owen, Councilwoman Welch has no problems with this change.

This item was sent to **Old Business**.

VOTING RESULTS: For: 7; Against: 0; Abstain: 0; Absent: 0

For: Hal Heiner, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Madonna Flood, Jon

Ackerson

Against: (None) Abstain: (None) Absent: (None)

R-101-06-09 A RESOLUTION DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION TO THE COUNCIL ON AN AMENDMENT TO SECTION 4.4.1 OF THE LAND DEVELOPMENT CODE CONCERNING PORTABLE STORAGE DEVICES.

Status: In Committee - Tabled

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: James Peden

Motion to untable made by Tina Ward-Pugh and seconded by Cheri Bryant Hamilton.

By voice vote, this item was untabled.

Discussion: CM Peden spoke giving a quick review of the ordinance. Bill Schreck, Codes and Regulations, and Theresa Senninger, Assistant County Attorney, were also present to speak and answer questions. The following was discussed:

- This resolution is regarding temporary portable storage containers and temporary dumpsters
- Dumpsters or pods being allowed to sit indefinitely in driveways
- Time frames for leaving the dumpsters or pods on your property
- Fees
- Portable storage containers vs. dumpsters
- · Citation and permit process
- No permit required to keep a dumpster unless it is on the right-of-way
- How is determining the maximum amount of time for a portable container to remain on property
- Where to put this Land Development Code vs. Property Maintenance Code
- · Activity vs. days
- Citing for dumpsters on construction sites
- Portable storage containers permitted for renovation or alteration for residential properties
- Possible Board instead of Court process
- Possible amendment to remove section 4.4.1 from the Land Development Code
- Possibility of putting this in the Property Maintenance Code
- The Committee can ask the Planning Commission to remove text from the Development Code
- The process regarding the removal of old legislation and addition new legislation was explained

Motion to table was made by Tina Ward-Pugh and seconded by Glen Stuckel.

By voice vote, this item was **Tabled**.

General Discussion:

A General discussion regarding submitting a plan for development of property and after it is approved, how much variation to the plan can happen without getting Council or at least the Planning Commission approval before a different development can take place. Also discussed was the following:

- Purpose of Binding Elements
- Changing Binding Elements
- Binding Elements are site specific
- Revised Development Plans

O-176-10-09 AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 153 OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (LMCO) RELATING TO THE TIME AND LOCATION OF PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT HEARINGS.

Status: In-Committee

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: James Peden

Discussion: This item was Held in Committee.

R-192-09-09 A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION ON A PROPOSED AMENDMENT TO SECTION 2.4.3.D.2 OF THE LAND DEVELOPMENT CODE REGARDING PERMITTED DENSITY OF RESIDENTIAL DEVELOPMENT IN THE C-1, COMMERCIAL ZONING DISTRICT.

Status: In Committee - Held

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor:

James Peden Rick Blackwell

Discussion: This item was Held in Committee.

Without objection, the meeting adjourned at 3:25 P.M.

*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on October 22, 2009.

KQG